

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

TIM LEISSNER,

Defendant.

Crim. No. 18-0439 (MKB)

**CLAIM OF INTEREST IN
PROPERTY ORDERED
FORFEITED TO THE UNITED
STATES (1,453,488 SHARES IN
CELSIUS HOLDINGS, INC.)**

CLAIM OF NG CHONG HWA AS TO CELSIUS SHARES

NG CHONG HWA hereby makes his claim to the following property, which was included in the property ordered forfeited by Tim Leissner to the United States as part of the above-captioned case:

1. 1,453,488 shares of stock in Celsius Holdings, Inc. held in J.P. Morgan Chase Bank brokerage account number ending in “7002” in the name of Kimora Lee Simmons.

2. Ng Chong Hwa acquired the right, title and interest in the property listed in paragraph 1 from in or about March 2015 through in or about May 2015. The circumstances of Mr. Ng’s acquisition of the right, title and interest in the property, along with additional facts supporting his claim are set forth in the attached Complaint entitled Ng Chong Hwa v. Tim Leissner, Index No. 159736/2022, currently pending in New York State Supreme Court. The Complaint is enclosed as Exhibit 1 and is incorporated by reference in this claim. Such incorporation is intended to satisfy the requirements of 21 U.S.C. § 853(n)(3).

3. On April 6, 2023, Mr. Ng received direct notice of the Amended Preliminary Order of Forfeiture entered on March 3, 2023 (Dkt. 68.). This Claim is timely under 21 U.S.C. § 853(n)(2), as it is being filed within 30 days of receipt of direct notice.

RELIEF SOUGHT

4. Based upon Mr. Ng's interest in the property listed in paragraph 1, Mr. Ng respectfully requests the Court order the following relief:

- a. Pursuant to 21 U.S.C. § 853(n)(2), that the Court schedule a hearing to adjudicate the validity of Mr. Ng's interest in the property. Mr. Ng believes that such a hearing will establish by a preponderance of the evidence that Mr. Ng's claim satisfies the requirements of 21 U.S.C. § 853(n)(6).
- b. Amend its Preliminary Order to recognize Mr. Ng's interest in, and entitlement to, 1,453,488 shares of stock in Celsius Holdings, Inc.
- c. Provide such other and further relief to which Mr. Ng is entitled.

VERIFICATION

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 5, 2023, in New York, NY



Ng Chong Hwa a/k/a Roger Ng

Respectfully submitted,



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